S.B. Criminal Revision No. 586/2006
(Ram Chandra Vs. State of Rajasthan)

Date of Order: July 13, 2006

HON'BLE MR. H.R. PANWAR, J.

Mr. Deepak Manaria, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

Notice for final disposal is accepted by Mr. Ashok Upadhyaya, Public Prosecutor for the State. With the consent of the learned counsel for the parties, the revision petition is being finally heard and decided at the admission stage.

The only grievance raised by the learned counsel for the petitioner is that the petitioner is an accused in the case and he himself wished to appear as a defence witness under Section 315 Cr.P.C., which the trial Court declined vide impugned order.

Having regard to the facts and circumstances of the case, in my view, the ends of justice would be met of the petitioner is allowed to appear as a defence witness on the next date fixed by the trial Court.

In this view of the matter, the criminal revision is allowed; the impugned order dated 8-6-2006 passed by the Additional Sessions Judge (Fast Track) No.2, Udaipur in Sessions Case No.19/2004 is set aside and the trial Court is directed to record the statement of the petitioner as a defence witness under Section 315 Cr.P.C. on the next date. If the petitioner

failed to appear as a defence witness, no further opportunity will be granted to this effect.

(H.R. PANWAR), J.

mcs